IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 18804 of 2004

Between:

1 Sri Bussu Anajan Reddy, S/o. Late Sri B. Laxma Reddy,
R/o. Sri Nagar Village, Maheswaram Mandal,
Ranga Reddy District.
2 Smt. Bussu Suguna, W/o. Sri B. Anjan Reddy,
R/o. Sri Nagar Village, Maheswaram Mandal,
Ranga Reddy District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary,
Revenue Department, Hyderabad., A.P.
2 The Sub- Registrar, Maheswaram Mandal,
Ranga Reddy District.
3 The Mandal Revenue Officer, Maheswaram Mandal,
Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not receiving the document and registering the same in respect of an agricultural land to an extent of Acs. 16.28 in Sy.No.94 and 95 situated at Kongara Khurd Village, Maheswaram

Mandal, Ranga Reddy District, is illegal, violative of Section 22-A (1) of Registration Act, 1908 and consequently direct the 2nd respondent to receive the document and register the same in the interest of justice

Counsel for the Petitioner: MR.CH.RAVINDER

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

Petitioners claim to be the owners of land in an extent of Ac.16.28 guntas in Survey Nos.94 and 95, which are agricultural lands, situated at Kongara Khurd Village, Maheswaram Mandal, Ranga Reddy District under a registered sale deed dated 05-02-2003, when the petitioners wanted to sell the said property, and presented the sale deed executed on 07-09-2004 for registration, the second respondent refused to entertain the said document on the ground that the land in question which is sought to be sold cannot be registered in view of a complaint given by Dargha Hazarath Syed Shah alleging that the lands situated in Kongara Khurd village are the INAM lands of the said Dargah. In view of the same, the present writ petition is filed.

2. Learned Government Pleader submits that there is no notification issued by the Government of Andhra Pradesh under Section 22-A (1) of the Registration Act, prohibiting the registration of the documents in respect of the Survey Nos.94 and 95 in the said village mentioned above. On issuance of such notification, the 2nd respondent can refuse to receive the document for registration, but not as otherwise.

3. In view of the same, the second respondent is hereby directed to receive the document and register the same, as and when the

petitioners present the same for registration and for any reason, if the document cannot be registered, he has to pass appropriate orders and communicate the same to the petitioners within two weeks from the date of presentation of the said document.

Accordingly, the writ petition is disposed of at the admission stage.

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A. **GOPAL REDDY, J**

October 13, 2004

N.B. *Furnish copy in three days*

(B/o)

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Secretary, Revenue Department, Government of Andhra Pradesh,

Hyderabad, A.P.

2 The Sub- Registrar, Maheswaram Mandal,
Ranga Reddy District.
3 The Mandal Revenue Officer, Maheswaram Mandal,
Ranga Reddy District.

4 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

5 Two C.D. Copies.